

Committee Room,  
Austin, Texas, March 22, 1905.  
Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 277, being "An Act to amend Section 17 of an act incorporating the trustees of the independent school district of the city of San Antonio, Texas, passed at the regular session of the Twenty-eighth Legislature of the State of Texas, Chapter 128 of the General Laws,"

And find the same correctly engrossed.

BARRETT, Chairman.

Committee Room,  
Austin, Texas, March 22, 1905.  
Hon. Geo. D. Neal, President of the Senate:

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 237, being "An Act to amend Section 1 and Section 14 and Section 15 and Section 16, and add Section 17, containing the emergency clause, to Chapter 110 of the Acts of the Twenty-fifth Legislature, entitled 'An Act to create a more efficient road system for Ellis county, Texas, and making county commissioners of said county ex officio road commissioners, and prescribing their duties as such, and providing for their compensation as road commissioners, and providing for the appointment of deputy road commissioners, and defining the powers and duties of such county commissioners, and providing for the appointment of road overseers, and defining their duties, and for the working of the county convicts upon the public roads of said county, and providing for officers' fees and rewards for the capture of escaped convicts, and to provide for the manner of training hedges along any public roads, and to provide for a summoning of teams for road work, and for an allowance of time of road service for same, and fixing a penalty for violation of this act, and a repeal of all laws in conflict with same,' so as to make county commissioners road superintendents, and to constitute each commissioner's precinct a road district, and to provide for making delinquent poll tax payers subject to three days' road duty and subjecting them to a penalty for failure to perform same, and to increase the pay of road commissioners, and to enable the commissioners court of Ellis county to keep up with modern road legislation by providing that said commissioners court may from time to time substitute a general law or any part thereof

on the subject of roads and bridges for any part of this act in conflict with same."

And find the same correctly engrossed.

BARRETT, Chairman.

Committee Room,  
Austin, Texas, March 22, 1905.  
Hon. Geo. D. Neal, President of the Senate:

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Committee substitute bill No. 293, being "An Act to amend Article 642 of the Revised Civil Statutes of Texas, as amended by Chapter 120, Acts of the Regular Session of the Twenty-fifth Legislature; Chapter 43, Acts of the Twenty-sixth Legislature; Chapter 43, Acts of the Twenty-seventh Legislature, and Chapter 129, Acts of the Twenty-eighth Legislature, by adding to said Article 642 a new subdivision, to be known as Subdivision 64, providing for the organization of companies for constructing, operating and maintaining causeways or causeways and bridges, with authority to borrow money and issue bonds, without the amount of such issue being limited by the provisions of Article 653 of the Revised Civil Statutes of the State of Texas, with right to demand, receive and collect charges as fares or tolls,"

And find the same correctly engrossed.

BARRETT, Chairman.

Committee Room,  
Austin, Texas, March 22, 1905.  
Hon. Geo. D. Neal, President of the Senate:

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 296, being "An Act to make appropriation of \$3700 for necessary improvements at the Confederate Home, and declaring an emergency,"

And find the same correctly engrossed.

BARRETT, Chairman.

#### FORTY-EIGHTH DAY.

Senate Chamber,  
Austin, Texas,  
Thursday, March 23, 1905.  
Senate met pursuant to adjournment, President Pro Tem. Hanger presiding.

Roll call, quorum present, the following Senators answering to their names:

Barrett.	Brachfield.
Beaty.	Chambers.

Davidson.	Hill.
Faulk.	Holland.
Faust.	Looney.
Glasscock.	Martin.
Griggs.	McKamy.
Grinnan.	Meachum.
Hale.	Paulus.
Hanger.	Skinner.
Harbison.	Stokes.
Harper.	Stone.
Hawkins.	Terrell.
Hicks.	Willacy.

Absent.

Decker.	Stafford.
Smith.	

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Beatty the same was dispensed with.

#### PETITIONS AND MEMORIALS.

By Senator Martin:  
To Senator Martin:

We, the voters of the Ocker voting precinct, in Bell county, Texas, do petition you to vote for the Bowser bill, the Love bill and the Kennedy bill, now pending in the Senate, or any other measures that will relieve the deficit in the State Treasury without raising the ad valorem on the people.

O. L. Vaden, J. H. McDonald, F. P. Elliott, W. R. Logan, Wm. Mares, C. M. Logan, J. F. Campbell, Wm. Piel, V. L. Ward, A. J. McClure, J. N. Gunn, O. C. Murrell, W. H. McClure, B. F. Elliott, James Jones, T. B. Taylor, H. A. Meadows, Paul S. Skrabauk, A. D. McClure, Anton Ocker, Ed. Bigler, R. W. Reinike, F. E. Newman, H. I. Logan, M. Elliott, A. T. Dill, C. L. Power, W. F. Peagel, Martin Stehan, Sam McGinnis.

County of Hamilton, State of Texas.

We, the undersigned citizens, do hereby ask our Senators at Austin to support the following measures pending in the Senate:

The Bowser bill, taxing insurance companies 2 1-2 per cent of their gross receipts. The Love bill, taxing railroad companies 1 per cent of their gross earnings, to fill a deficiency in our State Treasury at Austin. And further, to vote against increasing our ad valorem taxes.

W. F. Miller, John W. Hunt, A. H. Williams, Jasper Paul, J. S. Caldwell, F. Williams, J. Setmoerly, M. Ramy, E. L. McKinley, B. F. Moore, A. Nettleton, J. E. McInnish, W. C. Pierce, T. A. Casey, J. E. Perkins, L. C. Foreman, R. L. Springer, R. E. Lee, A. W. Waddill,

J. R. Summers, E. L. Summers, Thos. E. Boyer, M. D.

Shive, Texas.

Hon. R. W. Martin, Senator, Austin, Texas:

Dear Sir: I was asked to draw an expression from the people of the surrounding parts of this county as to what they thought of the various tax measures, and this is a result of the foregoing, and will you please consider the matter very carefully.

I remain, yours truly,

W. F. HILLER.

#### BILLS AND RESOLUTIONS.

(Bills.)

By Senator Glasscock:

Senate bill No. 302, a bill to be entitled "An Act to permit owners of real estate sold by the State, or any incorporated town or city in this State, for taxes, penalties and costs due thereon, to redeem such property bought in at any tax sale by the State, or any incorporated town or city in this State; this being an Act amendatory of and supplementary to Acts to provide for the collection of taxes and for the sale of real estate for all taxes, costs and penalties due thereon to the State or any incorporated town or city in this State, and for a redemption of such sale by the owners thereof, as provided in the Acts of 1895, Title CIV, Chapter 5, of the Revised Civil Statutes, and the Acts of 1897 of the Twenty-fifth Legislature, Chapter 103, and the Act of 1899, Twenty-sixth Legislature, Chapter 65, and to repeal Section 14, Act of 1897, Chapter 103, of the Twenty-fifth Legislature, and to repeal all laws in conflict herewith."

Read first time, and referred to the Committee on State Affairs.

By Senators Griggs and Hale (by request):

Senate bill No. 303, a bill to be entitled "An Act to amend an act entitled 'An Act to regulate drilling, operation and abandonment of petroleum oil, natural gas and mineral water wells and to prevent certain abuses connected therewith,' by amending Sections 5 and 6 of said act and by adding thereto Sections 7, 8, 9 and 10."

Read first time, and referred to Judiciary Committee No. 1.

Senate Joint Resolution No. 9 by Senator Davidson.

Joint Resolution.

To amend Section 3, Article V, of the Constitution of the State of Texas.

Read first time, and referred to Committee on Constitutional Amendments.

By Senator McKamy:

Senate bill No. 304, a bill to be entitled "An Act for the more perfect supervision of the construction and maintenance of roads and bridges in this State, creating the office of State Expert Engineer, defining his duties and regulating his fees and making appropriation therefor, and regulating the duties of county commissioners with regard thereto."

Read first time, and referred to Committee on Roads, Bridges and Ferries. Morning call concluded.

(Senator Davidson in the chair.)

#### HOUSE BILL NO. 243—AS PENDING BUSINESS.

The Chair laid before the Senate on second reading, House bill No. 243, as pending business.

The question being on the amendment offered on yesterday.

Senator Hicks moved to table the amendment.

That motion was lost by the following vote:

##### Yeas—9.

Brachfield.	Looney.
Grinnan.	Martin.
Hanger.	McKamy.
Hawkins.	Stokes.
Hicks.	

##### Nays—19.

Barrett.	Harper.
Beaty.	Hill.
Chambers.	Holland.
Davidson.	Meachum.
Faulk.	Paulus.
Faust.	Skinner.
Glasscock.	Stone.
Griggs.	Terrell.
Hale.	Willacy.
Harbison.	

##### Absent.

Decker.	Stafford.
Smith.	

Question being on the amendment by Senator Terrell.

(President Pro Tem. Hanger in the chair.)

Senator Terrell then offered the following amendment to the amendment:

Amend the amendment by striking out all after the word "apply" in line 3 and insert the following: "To sidings, switches and spurs located at points not in towns and cities."

Pending discussion of the amendment, Senator McKamy was called to the chair.

The amendment to the amendment was lost by the following vote:

##### Yeas—11.

Barrett.	Harper.
Beaty.	Meachum.
Chambers.	Stone.
Faulk.	Terrell.
Faust.	Willacy.
Hale.	

##### Nays—17.

Brachfield.	Hill.
Davidson.	Holland.
Glasscock.	Looney.
Griggs.	Martin.
Grinnan.	McKamy.
Hanger.	Paulus.
Harbison.	Skinner.
Hawkins.	Stokes.
Hicks.	

##### Absent.

Decker.	Stafford.
Smith.	

(President Pro Tem. Hanger in the chair.)

The amendment was then lost by the following vote:

##### Yeas—9.

Beaty.	Harper.
Chambers.	Meachum.
Faulk.	Stone.
Faust.	Terrell.
Hale.	

##### Nays—19.

Barrett.	Hill.
Brachfield.	Holland.
Davidson.	Looney.
Glasscock.	Martin.
Griggs.	McKamy.
Grinnan.	Paulus.
Hanger.	Skinner.
Harbison.	Stokes.
Hawkins.	Willacy.
Hicks.	

##### Absent.

Decker.	Stafford.
Smith.	

Senator Meachum offered the following amendment:

Amend by adding after the word "night," in line 14, Section 3, the words: "Provided further, that no railway corporation in this State shall be permitted to take up or destroy, or refuse to use and maintain any spur track or switch now constructed except with the consent and permission of the Railroad Commission of Texas, and any such railway corporation violating this provision shall

be subject to the penalty herein above provided, to be recovered in the manner as above set out in this act."

Senator Willacy raised a point of order that the amendment was not germane to the bill, and cited his reasons and authorities for his point of order, and the Chair sustained the point of order and stated his reasons therefor.

Senator Meachum moved to postpone further consideration of the bill till tomorrow morning.

Senator Hicks moved to table that motion, which was adopted by the following vote:

## Yeas—19.

Barrett.	Hawkins.
Brachfield.	Hicks.
Chambers.	Holland.
Davidson.	Looney.
Faust.	Martin.
Glasscock.	McKamy.
Griggs.	Paulus.
Grinnan.	Stokes.
Hanger.	Willacy.
Harbison.	

## Nays—9.

Beaty.	Meachum.
Faulk.	Skinner.
Hale.	Stone.
Harper.	Terrell.
Hill.	

## Absent.

Decker.	Stafford.
Smith.	

Senator Hicks moved the previous question on the bill, which was duly seconded, and

On that motion Senator Terrell moved a call of the Senate, which was duly seconded, and the roll was called, the following answering to their names:

Barrett.	Hawkins.
Beaty.	Hicks.
Brachfield.	Hill.
Chambers.	Holland.
Davidson.	Looney.
Faulk.	Martin.
Faust.	McKamy.
Glasscock.	Meachum.
Griggs.	Paulus.
Grinnan.	Skinner.
Hale.	Stokes.
Hanger.	Stone.
Harbison.	Terrell.
Harper.	Willacy.

## Absent.

Decker.	Stafford.
Smith.	

## ABSENTEES NOT EXCUSED.

Senators Decker, Smith and Stafford.

## ABSENTEES EXCUSED.

Senator Davidson moved to excuse the absentees on this bill.

The motion was adopted by the following vote:

## Yeas—22.

Barrett.	Hawkins.
Beaty.	Hicks.
Brachfield.	Hill.
Chambers.	Holland.
Davidson.	Looney.
Faust.	Martin.
Glasscock.	McKamy.
Griggs.	Paulus.
Grinnan.	Skinner.
Hanger.	Stokes.
Harbison.	Willacy.

## Nays—6.

Faulk.	Meachum.
Hale.	Stone.
Harper.	Terrell.

## Absent.

Decker.	Stafford.
Smith.	

The motion for the previous question on the bill was then adopted.

The bill was read second time and ordered engrossed by the following vote:

## Yeas—25.

Barrett.	Hicks.
Brachfield.	Hill.
Chambers.	Holland.
Davidson.	Looney.
Faulk.	Martin.
Faust.	McKamy.
Glasscock.	Meachum.
Griggs.	Paulus.
Grinnan.	Skinner.
Hale.	Stokes.
Hanger.	Stone.
Harbison.	Willacy.
Hawkins.	

## Nays—3.

Beaty.	Terrell.
Harper.	

## Absent.

Decker.	Stafford.
Smith.	

On motion of Senator Hicks, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

## Yeas—27.

Barrett.	Hawkins.
Beaty.	Hicks.
Brachfield.	Hill.
Chambers.	Holland.
Davidson.	Looney.
Faulk.	Martin.
Faust.	McKamy.
Glasscock.	Meachum.
Griggs.	Paulus.
Grinnan.	Skinner.
Hale.	Stokes.
Hanger.	Stone.
Harbison.	Willacy.
Harper.	

## Nays—1.

Terrell.

## Absent.

Decker.	Stafford.
Smith.	

The bill was read third time and passed.

Senator Hicks moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## FIRST HOUSE MESSAGE.

Hall of the House of Representatives.  
Twenty-ninth Legislature.

Austin, Texas, March 23, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House concurs in Senate amendments to House bill No. 47.

House refuses to concur in Senate amendments to House bill No. 509, and requests a Conference Committee, and appointed the following on part of the House: Glenn, Rice, Marsh. Also passed

House bill No. 579, "An Act to create a more efficient road law in Morris county, Texas."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

FREE CONFERENCE COMMITTEE  
APPOINTED ON HOUSE  
BILL NO. 509.

The Chair here announced the appointment of the following Free Conference Committee on House bill No. 509: Senators Chambers, Faulk, Skinner.

## SENATE BILL NO. 76—PASSAGE OF.

On motion of Senator Hill, the pending order of business (House bill No.

46) was suspended, and the Senate took up, out of its order, Senate bill No. 76.

The Chair laid before the Senate, on second reading,

Senate bill No. 76, a bill to be entitled "An Act to provide for recording notices of lis pendens and levies, to define the effect of such notice, and to repeal all laws in conflict therewith."

Senator Hill offered the following amendment, which was adopted:

Amend by adding Section 4, emergency clause:

"Sec. 4. There being no adequate law providing for lis pendens notice, and the crowded condition of the calendar, create an emergency and an imperative public necessity requiring bills to be read on three several days to be suspended, and said rule is hereby suspended, and this act take effect from and after its passage."

Bill read second time and ordered engrossed.

On motion of Senator Hill, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

## Yeas—23.

Barrett.	Hawkins.
Brachfield.	Hicks.
Chambers.	Hill.
Davidson.	Martin.
Faulk.	McKamy.
Faust.	Meachum.
Glasscock.	Paulus.
Griggs.	Skinner.
Grinnan.	Stokes.
Hale.	Terrell.
Hanger.	Willacy.
Harbison.	

## Present—Not Voting.

Stone.

## Absent.

Beaty.	Looney.
Decker.	Smith.
Harper.	Stafford.
Holland.	

The bill was read third time and passed.

Senator Hill moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## SENATE BILL NO. 164—PASSAGE OF.

On motion of Senator Grinnan, the pending order of business (House bill No. 46) was suspended, and the Sen-

ate took up, out of its order, Senate bill No. 164.

The Chair laid before the Senate, on second reading,

Senate bill No. 164, a bill to be entitled "An Act to amend Article 278, Chapter 6, Title VIII, of the Penal Code of the State of Texas."

Bill read second time and ordered engrossed.

On motion of Senator Grinnan, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

## Yeas—24.

Barrett.	Harper.
Brachfield.	Hawkins.
Chambers.	Hicks.
Davidson.	Hill.
Faulk.	Looney.
Faust.	Martin.
Glasscock.	McKamy.
Griggs.	Paulus.
Grinnan.	Skinner.
Hale.	Stokes.
Hanger.	Stone.
Harbison.	Terrell.

## Absent.

Beaty.	Smith.
Decker.	Stafford.
Holland.	Willacy.
Meachum.	

Bill was read third time and passed by the following vote:

## Yeas—25.

Barrett.	Hicks.
Brachfield.	Hill.
Chambers.	Holland.
Faulk.	Looney.
Faust.	Martin.
Glasscock.	McKamy.
Griggs.	Meachum.
Grinnan.	Paulus.
Hale.	Skinner.
Hanger.	Stone.
Harbison.	Terrell.
Harper.	Willacy.
Hawkins.	

## Absent.

Beaty.	Smith.
Davidson.	Stafford.
Decker.	Stokes.

Senator Grinnan moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## HOUSE BILL NO 522—PASSAGE OF.

On motion of Senator Barrett, the pending order of business, House bill No. 46, was suspended, and the Senate took up, out of its order, House bill No. 522.

On motion of Senator Barrett the committee report was adopted.

On motion of Senator Barrett the Senate rule requiring committee reports to lay over for one day was suspended by the following vote:

## Yeas—22.

Barrett.	Harper.
Brachfield.	Hawkins.
Chambers.	Hicks.
Davidson.	Hill.
Faust.	Martin.
Glasscock.	McKamy.
Griggs.	Meachum.
Grinnan.	Paulus.
Hale.	Skinner.
Hanger.	Stone.
Harbison.	Terrell.

## Absent.

Beaty.	Smith.
Decker.	Stafford.
Faulk.	Stokes.
Holland.	Willacy.
Looney.	

The Chair laid before the Senate on second reading,

House bill No. 522, "An Act creating a more efficient road system for Lamar county."

Bill read second time and passed to a third reading.

On motion of Senator Barrett the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

## Yeas—24.

Barrett.	Hawkins.
Brachfield.	Hicks.
Chambers.	Hill.
Davidson.	Martin.
Faust.	McKamy.
Glasscock.	Meachum.
Griggs.	Paulus.
Grinnan.	Skinner.
Hale.	Stokes.
Hanger.	Stone.
Harbison.	Terrell.
Harper.	Willacy.

## Absent.

Beaty.	Looney.
Decker.	Smith.
Faulk.	Stafford.
Holland.	



The bill was read third time and passed by the following vote:

## Yeas—25.

Barrett.	Hawkins.
Brachfield.	Hicks.
Chambers.	Hill.
Davidson.	Martin.
Faulk.	McKamy.
Faust.	Meachum.
Glasscock.	Paulus.
Griggs.	Skinner.
Grinnan.	Stokes.
Hale.	Stone.
Hanger.	Terrell.
Harbison.	Willacy.
Harper.	

## Absent.

Beaty.	Looney.
Decker.	Smith.
Holland.	Stafford.

Senator Barrett moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## HOUSE BILL NO 95—PASSAGE OF.

On motion of Senator Harper the pending order of business (House bill No. 46) was suspended, and the Senate took up, out of its order, House bill No. 95.

The Chair laid before the Senate on third reading,

House bill No. 95, a bill to be entitled "An Act to authorize the city of Bryan to dispose of certain public grounds within said city."

The bill was read third time, and passed.

Senator Harper moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## SENATE BILL NO. 275—ENGROSSMENT OF.

On motion of Senator Chambers the pending order of business (House bill No. 46) was suspended, and the Senate took up, out of its order, Senate bill No. 275.

The Chair laid before the Senate, on second reading,

Senate bill No. 275, a bill to be entitled "An Act to prevent any person or persons, firm, corporations or association of persons, who loan money on farm produce, from charging a higher rate of interest than 10 per cent, either directly or indirectly, or by discount or

otherwise, and affixing a penalty therefor."

On motion of Senator Chambers, the majority committee report was adopted.

Senator Chambers offered the following amendment, which was adopted:

Amend the bill by striking out all of Section 2.

Senator Chambers offered the following amendment, which was adopted:

Amend the bill by adding Section 2, as follows:

Section 2. The crowded condition of the calendar and the near approach of the close of the session and the inadequacy of the laws of this State on such matters, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended and the same is so done, and that this act take effect and be in force from and after its passage, and the same is so enacted.

Senator Glasscock offered the following amendment, which was adopted:

Amend by striking out the words "on farm produce," in line 15, page 1, Section 1, of the bill.

Senator Faulk offered the following amendment.

Amend by striking out line 12.

The amendment was lost by the following vote:

## Yeas—11.

Beaty.	Hill.
Faulk.	Looney.
Faust.	Meachum.
Glasscock.	Paulus.
Griggs.	Skinner.
Harper.	

## Nays—16.

Barrett.	Hawkins.
Brachfield.	Hicks.
Chambers.	Martin.
Davidson.	McKamy.
Grinnan.	Stokes.
Hale.	Stone.
Hanger.	Terrell.
Harbison.	Willacy.

## Absent.

Decker.	Smith.
Holland.	Stafford.

Senator Faulk offered the following amendment:

Amend line 17 by striking out all of line 17 after the word "interest."

And also strike out the word "both," in line 17.

Senator Chambers moved to table the amendment, which motion was adopted by the following vote:

## Yeas—16.

Barrett.	Hicks.
Brachfield.	Looney.
Chambers.	Martin.
Davidson.	McKamy.
Hanger.	Paulus.
Harbison.	Stokes.
Harper.	Stone.
Hawkins.	Terrell.

## Nays—11.

Beaty.	Hale.
Faulk.	Hill.
Faust.	Meachum.
Glasscock.	Skinner.
Griggs.	Willacy.
Grinnan.	

## Absent.

Decker.	Smith.
Holland.	Stafford.

The bill was read second time and ordered engrossed.

Senator Chambers moved to reconsider the vote by which the bill was ordered engrossed, and lay that motion on the table.

The motion to table prevailed.

## SENATE BILL NO. 159—PASSAGE OF.

On motion of Senator McKamy, the pending order of business (House bill No. 46) was suspended, and the Senate took up, out of its order, Senate bill No. 159.

The Chair laid before the Senate, on third reading,

Senate bill No. 159, a bill to be entitled "An Act regulating the sale of concentrated commercial feeding stuffs, defining concentrated feeding stuffs, prohibiting the adulteration and providing for the collection of samples, the expenses of the enforcement of the law, and fixing penalties for its violation."

Senator McKamy offered the following amendment:

Amend the bill by adding after the word "Texas," in line 13, page 1, the following: "for use within this State."

The amendment was adopted by the following vote:

## Yeas—26.

Barrett.	Glasscock.
Beaty.	Griggs.
Brachfield.	Grinnan.
Chambers.	Hale.
Davidson.	Hanger.
Faulk.	Harbison.
Faust.	Harper.

Hawkins.	Paulus.
Hicks.	Skinner.
Hill.	Stokes.
Looney.	Stone.
McKamy.	Terrell.
Meachum.	Willacy.

## Nays—1.

Martin.

## Absent.

Decker.	Smith.
Holland.	Stafford.

Senator McKamy offered the following amendment:

Amend the bill by adding after the word "Texas," in line 8, page 2, line 22, page 2, line 11, page 3, the following: "for use within this State."

The amendment was adopted by the following vote:

## Yeas—25.

Barrett.	Hawkins.
Beaty.	Hicks.
Brachfield.	Hill.
Chambers.	Martin.
Davidson.	McKamy.
Faulk.	Meachum.
Faust.	Paulus.
Glasscock.	Skinner.
Griggs.	Stokes.
Grinnan.	Stone.
Hale.	Terrell.
Hanger.	Willacy.
Harbison.	

## Absent.

Decker.	Looney.
Harper.	Smith.
Holland.	Stafford.

The bill was read third time and passed.

Senator McKamy moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## HOUSE BILL NO. 210—MADE SPECIAL ORDER.

On motion of Senator Hawkins, the pending order of business (House bill No. 46) was suspended, and the Senate took up, out of its order, House bill No. 210.

The Chair laid before the Senate, on second reading,

House bill No. 210, a bill to be entitled "An Act to amend an act to amend an act to amend Article 3938, Chapter 10, Title LXXXVI, of the Revised Civil Statutes of the State of



Texas of 1895, relating to school districts, approved June 6, 1899."

Senator Hawkins moved to adopt the committee report, which recommended that the bill be not printed, and

Senator Skinner moved that further consideration of the bill be postponed until Wednesday of next week, and that the bill be printed and be made a special order, which motion was adopted.

Senator Skinner moved that the bill be printed, which was also adopted.

#### SECOND HOUSE MESSAGE.

Hall of the House of Representatives,  
Twenty-ninth Legislature.

Austin, Texas, March 23, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

Senate bill No. 17, a bill to be entitled "An Act inhibiting owners, managers and lessees of billiard halls, pool halls and tenpin and bowling alleys, and their clerks and employes, from permitting persons under 21 years of age to play at any game of billiards or pool or roll upon tenpin or bowling alley, or permit them to enter and remain in such place of business, whether intoxicating liquors are sold therein or not, and to provide a penalty for a violation of this act," with amendments.

House concurrent resolution No. 18, recommending to the members of Congress from Texas to use their best endeavors to have certain mountain ranges declared forest reservations under the laws of the United States.

Senate bill No. 211, a bill to be entitled "An Act to amend Chapter 2, Title XXI, of the Revised Statutes of the State of Texas, by adding thereto Article 650b, authorizing incorporation for two or more distinct purposes and separate franchise tax for each purpose, and with an emergency clause," with amendments.

Senate bill No. 123, a bill to be entitled "An Act to amend Article 3528a, Title LXXVa, of the Revised Statutes, as amended April 3, 1897, in regard to the Board of Pardon Advisers," providing that the members of said board shall be licensed lawyers and that they shall have a salary of two thousand dollars per annum, with amendments.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

#### HOUSE BILL NO. 77—PASSAGE OF.

On motion of Senator Glasscock, the pending order of business (House bill No. 46) was suspended, and the Senate took up, out of its order, House bill No. 77.

The Chair laid before the Senate, on third reading,

House bill No. 77, a bill to be entitled "An Act to only allow the qualified electors of Travis county residing out of the city of Austin to vote for County Superintendent of Public Instruction. Articles 3929a and 3930, Revised Statutes, not repealed, but only such laws as are in direct conflict."

The bill was read third time and passed.

#### SENATE BILL NO. 123—HOUSE AMENDMENTS CONCURRED IN.

Senator Davidson called up Senate bill No. 123, a bill to be entitled "An Act to amend Article 3582a, Title LXXV, of the Revised Statutes, as amended April 3, 1897, in regard to the Board of Pardon Advisers."

And moved that the Senate concur in the following House amendments:

Amend by striking out all after the word "Texas," line 22, down to and including the word "and," in line 22, Section 1.

The motion to concur was adopted by the following vote:

#### Yeas—23.

Barrett.	Holland.
Brachfield.	Looney.
Chambers.	Martin.
Davidson.	McKamy.
Faulk.	Meachum.
Faust.	Paulus.
Grinnan.	Skinner.
Hale.	Stokes.
Hanger.	Stone.
Hawkins.	Terrell.
Hicks.	Willacy.
Hill.	

#### Absent.

Beaty.	Harbison.
Decker.	Harper.
Glasscock.	Smith.
Griggs.	Stafford.

#### FREE CONFERENCE COMMITTEE REPORT ADOPTED.

Austin, Texas, March 21, 1905.

To Hon. George D. Neal, President of the Senate, and Hon. F. W. Seabury, Speaker of the House of Representatives.

Sirs: We, the undersigned, your

Free Conference Committee, appointed to adjust the differences between the Senate and the House on Senate bill No. 154, a bill to be entitled "An Act to exempt the counties of Uvalde, Runnels, Mitchell and Taylor from the provisions and operations of Articles 5002 and 5042, both inclusive, Chapter 6, Title CII, of the Revised Civil Statutes of 1895 as amended by the Acts of the Twenty-eighth Legislature, relating to the inspection of hides and animals," recommend that the following bill be substituted for the original bill and amendments thereto by the House, to wit:

By Grinnan:

Senate bill No. 154, a bill to be entitled "An Act to exempt the counties of Uvalde, Zavala, Runnels, Taylor, Brewster, Presidio, Pecos, Deaf Smith, Nolan, Kerr, Kimbel, Edwards, Hutchinson, Castro, Swisher, Briscoe, Bailey, Lamb, Hale, Floyd, Motley, Cottle, Cochran, Hockley, Lubbock, Crosby, Bickens and King from the provisions and operations of Articles 5002 to 5042, both inclusive, of Chapter 6, Title CII, of the Revised Civil Statutes of 1895, as amended by the Acts of the Twenty-eighth Legislature, relating to the inspection of hides and animals, and to repeal all laws in conflict herewith and to declare an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. That the counties of Uvalde, Zavala, Runnels, Taylor, Brewster, Presidio, Pecos, Deaf Smith, Nolan, Kerr, Kimbel, Edwards, Hutchinson, Castro, Swisher, Briscoe, Bailey, Lamb, Hale, Floyd, Motley, Cottle, Cochran, Hockley, Lubbock, Crosby, Bickens and King be and are hereby exempted from the provisions and operations of Articles 5002 to 5042, both inclusive, of Chapter 6, Title CII, of the Revised Civil Statutes of 1895, relating to the inspection of hides and animals.

Provided, however, that the Hide and Animal Inspector of Pecos county shall be permitted to serve his present term of office and collect fees thereof until January 1, 1906, when this act shall become operative as to said Pecos county.

Sec. 2. That all laws and parts of laws in conflict herewith be, and the same are hereby repealed.

Sec. 3. The fact that the operation of said provisions of law in said counties entails great and unnecessary expense upon the people and stock raisers of Uvalde, Zavala, Runnels, Taylor, Brewster, Presidio, Deaf Smith, Nolan, Kerr, Kimbel, Edwards, Hutchinson, Castro, Swisher, Briscoe, Bailey, Lamb, Hale, Floyd, Motley, Cottle, Cochran, Hockley, Lubbock, Crosby, Bickens and King counties, and the

crowded condition of the calendar, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read upon three several days be suspended, and that this bill be in force and take effect from and after its passage, and it is so enacted. Respectfully submitted,

HAWKINS.  
GRINNAN.  
DECKER.

On part of Senate.

M'KENZIE.  
HUDSPETH.  
WARE.  
SEVIER.

BRYAN of Taylor.

On part of the House.

On motion of Senator Grinnan the report was adopted by the following vote:

Yeas—26.

Barrett.	Hicks.
Beaty.	Hill.
Brachfield.	Holland.
Chambers.	Looney.
Davidson.	Martin.
Faulk.	McKamy.
Faust.	Meachum.
Glasscock.	Paulus.
Griggs.	Skinner.
Grinnan.	Stokes.
Hale.	Stone.
Hanger.	Terrell.
Hawkins.	Willacy.

Absent.

Decker.	Smith.
Harbison.	Stafford.
Harper.	

#### SENATE BILL NO. 213.

On motion of Senator Hicks, the pending order of business, House bill No. 46, was suspended, and the Senate took up, out of its order, Senate bill No. 213.

The Chair laid before the Senate on second reading.

Senate bill No. 213, a bill to be entitled "An Act to authorize W. S. Gabriel to institute suit against the State of Texas, to ascertain what, if any, unpaid balance of salary is due said W. S. Gabriel as stenographer of the Supreme Court of the State of Texas, and making an appropriation therefor."

(Senator Faulk in the chair.)

Senator Skinner offered the following amendment:

Amend by adding after the last word in line 4, page 2, the following: "Provided, that nothing in this act shall be construed as in any way affirming or

denying the merits of the proposed suit by the said W. S. Gabriel."

Senator Hanger moved that the bill be recommitted to the Finance Committee together with the pending amendment.

Pending further discussion of the bill President Pro Tem. Hanger returned to the chair.

#### HOUSE CONCURRENT RESOLUTION NO. 18—ADOPTION OF.

The Chair laid before the Senate House concurrent resolution No. 18:

Be it resolved by the House, the Senate concurring:

Whereas, in the territory of New Mexico there is a series of mountain ranges running parallel to the Pecos river and lying immediately west of the same and known as the Guadalupe, Black, White, Capitan and Rocky Mountain ranges; and, whereas, said mountain ranges are covered with many kinds of timber and brush; and, whereas, it is found that these great ranges of mountains are the great natural water reservoirs that supplies the springs, wells and the great rivers of Pecos, Palo Duro and Canadian rivers, and also the great Staked Plains; and, whereas, the greater portion of said mountain land are yet the property of the United States; and, whereas, said timber and brush are fast being destroyed and no provision made for restoring the same, therefore we most respectfully recommend that the members of Congress of this State use their best endeavors to have said mountain ranges declared forest reservations under the laws of the United States, and a copy of this resolution be furnished each of said Congressmen by the Chief Clerk.

The resolution was read, and on motion of Senator Hawkins was adopted.

#### SENATE BILLS SIGNED BY THE CHAIR.

The Chair (President Pro Tem. Hanger) gave notice of signing, and did sign in the presence of the Senate after its caption had been read.

Senate bill No. 86.

(See Appendix "A" for bill in full, under head of Enrolled Bills in tomorrow's Journal.)

#### ADJOURNMENT.

On motion of Senator Glasscock the Senate adjourned till to-morrow morning at 10 o'clock.

Committee Room,

Austin, Texas, March 23, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Town and City Corporations, to whom was referred

House bill No. 474, a bill to be entitled "An Act to amend the charter of the City of Sherman, entitled 'An Act to incorporate the City of Sherman, in Grayson county, Texas, and to fix the boundaries thereof, and to provide for its government and the management of its affairs,' etc.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and that it be not printed.

BEATY, Chairman.

#### JUDICIARY NO. 2.

Committee Room,

Austin, Texas, March 23, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

House bill No. 37, a bill to be entitled "An Act prescribing how and by whom tickets on railroads, steamboats or transportation companies of any kind engaged in the carrying and transportation of passengers, and by individuals engaged in the transportation of passengers, shall be sold, and providing for the redemption of tickets unused, and designating who may use such tickets, and prescribing penalties for the violation of this Act, and repealing all Acts in conflict herewith."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

DAVIDSON, Chairman.

#### ROADS, BRIDGES AND FERRIES.

Committee Room,

Austin, Texas, March 23, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 522, a bill to be entitled "An Act to create a more efficient road system for Lamar county, Texas."

Have had the same under consideration, and I am instructed to report it

back to the Senate with the recommendation that it do pass and be not printed.  
MARTIN, Chairman.

#### ENGROSSING DEPARTMENT.

Committee Room,  
Austin, Texas, March 23, 1905.  
Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 164, being "An Act to amend Article 278, Chapter 6, Title VIII, of the Penal Code of the State of Texas."

And find the same correctly engrossed.

BARRETT, Chairman.

Committee Room,  
Austin, Texas, March 23, 1905.  
Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 76, being "An Act to provide for recording of lis pendens and levies, to define the effect of such notice, and to repeal all laws in conflict therewith."

And find the same correctly engrossed.

BARRETT, Chairman.

Committee Room,  
Austin, Texas, March 23, 1905.  
Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 22, being "An Act on the subject of Private Corporations for profit; amending Title XXI, Chapter 2, Article 642, thereof, by amending Section 56, requiring the stockholders of corporations created under Chapter 2, before being chartered, to pay in full its authorized capital stock, etc., and declaring an emergency."

And find the same correctly engrossed.

BARRETT, Chairman.

Committee Room,  
Austin, Texas, March 22, 1905.  
Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate substitute bill No. 66, being "An Act to amend Section 53, Article 642, Chapter 2, Title XXI, of the Revised Statutes of Texas."

And find the same correctly engrossed.

BARRETT, Chairman.

Committee Room,  
Austin, Texas, March 22, 1905.  
Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 301, being "An Act to create a more efficient road system for Dallas county, Texas and defining the powers and duties of the Commissioners Court of said county relative to roads and bridges of said county, and making county commissioners of said county ex-officio road commissioners of their respective districts, and prescribing their duties and compensation as road commissioners; and providing for the election of a county engineer of said county, and prescribing the term for which he shall serve, his duties and compensation; and providing, conditionally, for the employment of a consulting engineer; and providing for the laying out, opening, widening, drainage, grading, construction, building, repair and maintenance of public roads of said county, and for the classification and abandonment thereof; and providing for the condemnation of lands and material for use in opening, constructing, repairing and maintaining such public roads; and authorizing said court to direct the opening up of and to open up drains along railways in said county; and abolishing road service and road overseers in said county; and providing for the payment of a road tax; and directing the application of the road and bridge fund of said county, and of proceeds of sale of bonds of said county, issued for road and bridge purposes, and limiting the power of said court to transfer such funds; and prohibiting said court and members thereof from making an excessive levy of taxes for road and bridge purposes; and limiting the power of said court to issue warrants or create debts against the county in connection with such roads and bridges; and providing for the use, management and control of county convicts of said county; and providing for the letting of contracts and purchase of supplies in certain cases, and prohibiting members of such court and county officers of said county from becoming financially interested therein; and providing for the issuance and sale of bonds of said county for the purpose of building, construction, improving, repairing and maintaining roads and bridges of a permanent nature; and authorizing the investment of the permanent school fund of the State of Texas and of said county in such bonds; and requiring the county treasurer of said county to keep a separate

account of proceeds of sale of such bonds, and limiting his duties in the disbursement thereof; and providing for the protection of ornamental shade trees; and for the placing and preservation of sign boards along such public roads; and prescribing penalties and providing punishment for violation of this act, and providing for the application of fines for such violations, and of all money collected on contract under this act to the road and bridge fund of said county; and providing that this act be given specially in charge to the grand jury of said county; and declaring this act cumulative of general laws except in case of conflict, when this act shall control; and repealing all laws and parts of laws in conflict with this act, and declaring an emergency."

And find the same correctly engrossed.

BARRETT, Chairman.

Committee Room,  
Austin, Texas, March 22, 1905.  
Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 160, being "An Act to amend Articles 644 and 647, Title VIII, Chapter 2, of the Code of Criminal Procedure of Texas, relating to the special venires in capital cases,"

And find the same correctly engrossed.

BARRETT, Chairman.

Committee Room,  
Austin, Texas, March 22, 1905.  
Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 184, being "An Act to remit penalties on certain patents and to authorize the Commissioner of the General Land Office to deliver to the owner of the land the patent therefor upon payment of patent fee,"

And find the same correctly engrossed.

BARRETT, Chairman.

Committee Room,  
Austin, Texas, March 23, 1905.  
Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 255, being "An Act to authorize county commissioners to close up the streets and alleys of territory or lands which are contiguous and uninhabited, whether included

38—Senate.

within the corporate limits of said cities, towns or villages, and declaring an emergency,"

And find the same correctly engrossed.

BARRETT, Chairman.

#### ENROLLING DEPARTMENT.

Committee Room,  
Austin, Texas, March 22, 1905.  
Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 235, "An Act to authorize, enable and permit the territory situated within the bounds of the city of Lancaster, in the county of Dallas and State of Texas, and other land and territory adjacent thereto, to incorporate as an independent school district for free school purposes only, to be known as the 'Lancaster Independent School District,' with all the rights, powers and duties of independent school districts, formed by incorporation of towns and villages for free school purposes only,"

And find the same correctly enrolled, and have this day, at 10:55 o'clock a. m., presented the same to the Governor for his approval.

TERRELL, Chairman.

#### FORTY-NINTH DAY.

Senate Chamber,  
Austin, Texas,  
Friday, March 24, 1905.  
Senate met pursuant to adjournment, Lieutenant Governor Geo. D. Neal in the chair.

Roll call, quorum present, the following Senators answering to their names:

Barrett.	Harper.
Beaty.	Hicks.
Brachfield.	Hill.
Chambers.	Holland.
Davidson.	Martin.
Decker.	McKamy.
Faulk.	Meachum.
Faust.	Paulus.
Glasscock.	Skinner.
Griggs.	Stafford.
Grinnan.	Stokes.
Hale.	Stone.
Hanger.	Terrell.
Harbison.	Willacy.

Absent.

Hawkins.	Smith.
Looney.	